



1636

**PATENT**  
Attorney Docket No. A-66805/RFT/NBC  
DW File No. 467135-121

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

LANDEGREN, ULF

Serial No.: 09/029,579

Filing Date: May 6, 1998

For: *Methods and Compositions for Nucleic Acid Targeting*

Examiner: LOEB, Bronwen

Art Unit: 1636

#35/  
Lita  
12/15/02

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, BOX SEQUENCE, P.O. BOX 2327, Arlington, VA 22202 on:

Dated: Dec 4, 2002

Signed: Marjorie Jost  
Marjorie Jost

**RESPONSE TO OFFICE COMMUNICATION  
AND NOTICE TO COMPLY WITH SEQUENCE RULES**

Commissioner for Patents  
U.S. Patent and Trademark Office  
BOX SEQUENCE, P.O. Box 2327  
Arlington, VA 22202

Sir:

This Communication is in response to the Office communication and Notice to Comply with Sequence Rules mailed November 18, 2002 (Paper No. 34). This communication is being mailed within 1 month of the mailing date of said notice, making it a timely response. While no fee is believed to be due, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 467135-121 (A-66805/RFT/NBC)). A copy of the Notice to Comply is enclosed herewith.

This communication is accompanied by a floppy disk containing the above named sequence, SEQUENCE ID NUMBER 1 in computer readable form. The computer readable sequence listing was prepared through use of the software program "PatentIn" provided by the PTO. The information contained in the computer readable disk is identical to that of the paper copy already on file and contains

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Serial No.: 09/029,579  
Filing Date: May 6, 1998

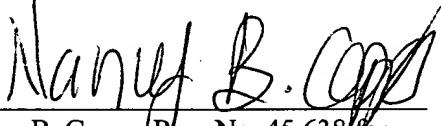
no new matter. Applicant submits that this communication, the accompanying computer readable sequence listing, and the previously filed paper copy thereof serve to place this application in a condition of adherence to the rules 37 C.F.R. § 1.821-1.825.

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 12-4-02  
Customer Number: 32940  
Dorsey & Whitney LLP  
Intellectual Property Department  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

BY:

  
Nancy B. Capps, Reg. No. 45,638 for  
Richard F. Trecartin, Reg. No. 31,801  
Filed under 37 C.F.R. § 1.34(a)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/029,579	05/06/1998	ULF LANDEGREN	1209-122P	6255

7590 11/18/2002  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
FOUR EMBARCADERO CENTER  
SUITE 3400  
SAN FRANCISCO, CA 94111-4187



EXAMINER	
LOEB, BRONWEN	
ART UNIT	PAPER NUMBER
1636	821

DATE MAILED: 11/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

Bronwen M. Loeb

ART UNIT PAPER

1636 34

DATE MAILED:

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**Commissioner of Patents**

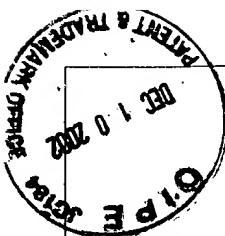
The communication filed 15 October 2002 is not fully responsive to the Office communication mailed 8 April 2002 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CFR Diskette Problem Report. Applicant must comply with the requirements of the sequences rules (37 CFR 1.821 – 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to a bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 – 1.825), applicant is given a **TIME PERIOD of ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 – 1.825) in order to avoid abandonment of the application under 37 CFR 1.821 (g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **Bronwen M. Loeb**, Art Unit 1636, whose telephone number is (703) 605-1197.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

*Bronwen M. Loeb*  
PATENT EXAMINER



## Notice to Comply

Application No.

09/029,579

Examiner

Bronwen M. Loeb

Applicant(s)

LANDEGREN, ULF

Art Unit

1636

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

#### Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

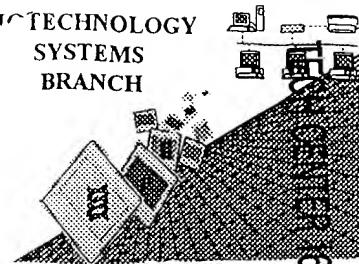
Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

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## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/029,599A  
Filing Date: 5/6/1998  
Date Processed by STIC: 10/25/2002

# 33

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

(circle one) Damaged or Unreadable (for Unreadable, see attached)  
 Blank (no files on CRF) (see attached)  
 Empty file (filename present, but no bytes in file) (see attached)  
 Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
 Not saved in ASCII text  
 Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
 Did not contain a Sequence Listing. (see attached sample)  
 Other:

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002